IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CRIMINAL APPELLATE JURISDICTION

CRIMINAL APPLICATION NO. 250 OF 2006
IN
CRIMINAL REVN.APPLICATION NO.136 OF 2006

Sou. Vijaya Chandrakant Jagtap & Ors. ... Applicants.

V/s.

Shri Chandrakant Kisan Jagtap & Ors. ... Respondents.

Mr. Milind Deshmukh for the Applicants.

Mr. V.S. Kapse for the Respondent.

Mr. Rajesh More, A.P.P. for the State.

.....

CORAM : S.C. DHARMADHIKARI,J.

14TH DECEMBER 2006.

P.C. :

1. This Criminal Application is filed by the applicant - original Respondent No.1, wife of the original Applicant Chandrakant.

2. My attention is invited to the orders passed by this court on 27th April 2006 admitting the Criminal Revision Application and granting a conditional stay of the order passed by the Court below.

3. Both sides do not dispute that the stay is granted on the condition that the husband must deposit the amounts which are payable after 30th June 2000 till 27th April 2006. That amount is Rs..48,490/- according to Shri Kapse, learned Advocate for the applicant. In the light

of the order passed by this Court, the wife is allowed to withdraw this amount subject of course to outcome of the revision application as also any future adjustment.

4. It is made clear that the husband will have to pay the amount which is payable from month to month under the order of the learned J.M.F.C. Needless to further state that there being no stay of the amount of monthly maintenance awarded under the Trial court's order, the wife will be entitled to withdraw the said amount as and when deposit in the Trial Court/Revisional Court.

5. Criminal Application is disposed of.

(S.C.Dharmadhikari,J.)